



**U.S. CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814**

May 28, 2019

**VIA EMAIL & CERTIFIED MAIL**

Mr. Beryl Lipton  
MuckRock  
411 A Highland Ave  
Somerville, MA 02144-2516

**RE:** Freedom of Information Act Request #19-F-00201.

Dear Mr. Lipton:

This is an interim response (Production 1) to your Freedom of Information Act (FOIA) request seeking the following four categories of records from the U.S. Consumer Product Safety Commission (CPSC or Commission): 1) Budget materials; 2) staffing orders/reports/contacts; 3) FOIA requester categories; and 4) FOIA fee collection. These records will be produced to you on a rolling basis. The attached records constitute responses to Categories 3 and 4.

We are withholding portions of the Category 4 record pursuant to FOIA Exemption 6. *See* 5 U.S.C. 552(b)(6). Absent consent to disclose the records, we must withhold these personal records pursuant to Exemption 6 of the FOIA, 5 U.S.C. § 552(b)(6).

*Exemption 6.* Exemption 6 provides for the withholding of personnel, medical files, and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. We believe that the personal materials related to the processing of the vacancies fall within the protection of this FOIA Exemption. In this case, the records contain personal and private information regarding the debtors listed in the record.

**FOIA Administrative Procedures**

*Right to appeal.* You may appeal the delay in processing your request. If you are not satisfied with the response to this request, you may administratively appeal in writing, addressed to FOIA APPEAL, Office of the General Counsel, ATTN: Division of the Secretariat, U.S. Consumer Product Safety Commission, 4330 East West Highway, Room 820 Bethesda, MD 20814-4408.

Your appeal must be postmarked or electronically transmitted ([cpscfoiarequests@cpsc.gov](mailto:cpscfoiarequests@cpsc.gov)) within 90 days of the date of the response to your request. You can also fax your appeal to 301-504-0127. You can contact us Monday – Friday from 8:00AM – 4:30PM EST by telephone at 1-800-638-2772, by fax to 301-504-0127.

Before filing a formal appeal with the Commission, you may contact me or the Commission's FOIA Public Liaison, Deborah Acosta ([dacosta@cpsc.gov](mailto:dacosta@cpsc.gov)) at 1-800-638-2772 for any further assistance or to discuss any aspect of your request. Assistance may include guidance on possible reformulation of your request or an alternative time frame for processing the request.

*Right to Mediation.* Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile to 202-741-5769.

*Fees.* No fees were charged in the processing of Production 1 of this request.

Sincerely,

Abioye Ella Mosheim  
Chief FOIA Officer, and  
Assistant General Counsel  
Office of the General Counsel  
Division of the Secretariat  
P: 301-504-7454  
E: [amosheim@cpsc.gov](mailto:amosheim@cpsc.gov)

Attachments